

12/19/00  
jc972 U.S. PTO

12-22-00

A

Attorney Docket No.: PATENT  
NEI-00105

**HAVERSTOCK & OWENS LLP**  
260 Sheridan Avenue, Suite 420  
Palo Alto, CA 94306  
(650) 833-0160

**BOX PATENT APPLICATION**  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Anticipated Classification of this Application  
Class: \_\_\_\_\_ Subclass: \_\_\_\_\_  
Prior Application: 09/097,966  
Examiner: F. Varcoe Jr.  
Art Unit: 1764

jc976 U.S. PTO  
09/742460  
12/19/00

**TRANSMITTAL OF FILING UNDER 37 C.F.R. § 1.53(b)**

Sir:  
This is a request for filing a Divisional application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 09/097,966 filed on June 16, 1998 of Gary R. McLuen et al. for **MULTI-WELL ROTARY SYNTHESIZER**.

**CERTIFICATION UNDER 37 § 1.10**

I hereby certify that this new application and the document referred to as enclosed herein are being deposited with the United States Postal Service on this date December 19, 2000, in an envelope bearing "Express Mail Post Office to Addressee" Mailing Label Number EL703212825US addressed to: **BOX PATENT APPLICATION**, Assistant Commissioner for Patents, Washington, D.C. 20231.

Tadas Naruskas  
(Name of Person Mailing Paper)

Tadas Naruskas  
Signature

1. Copy of Prior Application as Filed Which is Attached

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed. The copy of the papers of prior application as filed which are attached are as follows: 17 page(s) of specification; 8 page(s) of claims; 1 page(s) of abstract; 9 sheet(s) of drawings; 1 page(s) of declaration; 1 page(s) of power of attorney by assignee; and 1 page(s) of small entity declaration. The original signed declaration showing applicant's signature was filed on September 1, 1998. The original signed assignment, including form PTO-1595 showing applicant's signature was filed on September 1, 1998. The original signed power of attorney by assignee showing applicant's signature was filed September 1, 1998. The original signed small entity declaration showing applicant's signature was filed September 1, 1998.

2. Amendments

- X Cancel in this application original claims 1-30 of the prior application before calculating the filing fee. Add in this application new claims 35-43 before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
- X A preliminary amendment and 7 sheets of formal drawings as substitute sheets for the informal drawings submitted in the patent application.

3. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS FILED			
	Number Filed	Number Extra	Rate
			Basic Fee (37 C.F.R. § 1.16(a))
			710.00
Total Claims (37 C.F.R. § 1.16(e))	13 - 20 =	0	\$18.00
			0.00
Independent Claims (37 C.F.R. § 1.16(b))	4 - 3 =	1	\$78.00
			80.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$260.00
			0.00
Filing Fee Calculation			790.00

4. Applicant's are no longer entitled to Small Entity Status.

5. Drawings  
7 Sheets of drawings are enclosed.

X Formal.

6. Relate Back-35 U.S.C. § 120

X Amend the specification by inserting before the first line the sentence:

--This is a divisional of U.S. Patent Application Serial No. 09/097,966, filed June 16, 1998, the contents of which are hereby incorporated by reference.--

7. Inventorship Statement

- (a) With respect to the prior co-pending U.S. application from which this application claims benefit under 35 U.S.C. § 120 the inventor(s) in this application are:

X the same.

- (b) The inventorship for all the claims in this application are:

X the same.

8. Fee Payment Being Made At This Time

X Enclosed.

---

Total Fees Enclosed	790.00
---------------------	--------

---

9. Method of Payment of Fees

X Enclosed is a check in the amount of \$790.00.

10. Authorization To Charge Additional Fees

X The Commissioner is hereby authorized to charge any fees or credit any overpayment during the pendency of this application to Account No. 08-1275. An originally executed duplicate of this transmittal is enclosed for this purpose.

11. Power of Attorney

X The power of attorney in the prior application is to: Jonathan O. Owens, HAVERSTOCK & OWENS LLP, 260 Sheridan Avenue, Suite 420, Palo Alto, CA 94306.

- a. X Address all future communications to:  
HAVERSTOCK & OWENS LLP  
ATTN: Jonathan O. Owens  
260 Sheridan Avenue, Suite 420  
Palo Alto, CA 94306

12. Maintenance of Codependency of Prior Application

X This application is a divisional of co-pending Serial No. 09/097,966 filed on June 16, 1998.

13. X Incorporation by Reference

The entire disclosure of the prior application(s), from which a copy of the oath of declaration is supplied under Box 1, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: December 19, 2000

By: Jonathan O. Owens  
Name: Jonathan O. Owens  
Registration No.: 37,902